

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
SOUTHERN DIVISION

LINDA WILLIAMS,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	CASE NO. 1:06CV598-WKW
	)	
ENTERPRISE CITY SCHOOL DISTRICT,	)	
	)	
Defendant.	)	

**MOTION TO EXTEND DEFENDANT'S EXPERT DISCLOSURE DEADLINE**

COMES NOW the Defendant and herewith moves this Court to allow it thirty (30) additional days to comply with Section 8 of the Court's Scheduling Order regarding disclosure of defense expert witnesses. As grounds for this Motion, the Defendant states as follows:

1. The Court's Scheduling Order requires that the Defendant disclose experts who may be used at trial by September 15, 2007. On July 27, 2007, Defendant served consolidated discovery requests on Plaintiff requesting various information, including the disclosure of treating physicians and medical providers. Since this case involves an allegation by Plaintiff of an alleged disability, the information concerning such medical providers may reveal potential expert witnesses the Defendant may use at trial. Plaintiff did not disclose any expert witnesses in her initial disclosures or per Section 8 of the Court's Scheduling Order and presumably Plaintiff will not attempt to use any experts at trial. However, Defendant may use an expert(s) depending on the responses to the discovery served. Since Plaintiff is over two weeks late in responding to the discovery, Defendant has been hampered in getting the relevant information which is exclusively in Plaintiff's position

at this time.<sup>1</sup>

2. Defendant requests an additional thirty (30) days to file the information required per Section 8 of the Court's Scheduling Order. Defendant states that granting this Motion will not prejudice the Plaintiff or hamper the progress of this case and will serve the interests of justice.

/s/ R. Rainer Cotter, III  
R. RAINER COTTER, III (ASB-4925-E49R)  
Attorney for Defendant

OF COUNSEL:  
MARSH, COTTER & STEWART, LLP  
P.O. Box 310910  
Enterprise, Alabama 36331  
Ph. 334-347-2626  
Fax 334-393-1396  
email: [rrc@enterpriselawyers.com](mailto:rrc@enterpriselawyers.com)

### **CERTIFICATE OF SERVICE**

I hereby certify that I have served a copy of the foregoing on J. Victor Price, Esq., 17 Sistrunk Street, Tallassee, Alabama 36078, by placing said copy in the U.S. Mail, postage prepaid and properly addressed this 14<sup>th</sup> September, 2007.

/s/ R. Rainer Cotter, III  
OF COUNSEL

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<sup>1</sup>In a good faith attempt to resolve the discovery dispute, Defendant's counsel has written Plaintiff's counsel concerning the overdue discovery responses and is attempting to resolve the issue without the necessity of filing a motion to compel.